

AGENDA: September 10, 2002

9.4

CATEGORY: Items Initiated by Council

DEPT.: City Council

TITLE: Oppose SB 1918 – Vehicles: Electric
Personal Assistive Mobility Devices

RECOMMENDATION

1. Adopt a position of opposition to Senate Bill 1918 (Torlakson) – Vehicles: Electric Personal Assistive Mobility Devices.
2. Authorize the Mayor to send a letter to the Governor urging his veto of SB 1918.

FISCAL IMPACT

There is no fiscal impact directly associated with the approval of the above-listed recommendation.

BACKGROUND AND ANALYSIS

SB 1918 (Attachment 1) would establish regulations regarding the use of electric personal assistive mobility devices, or EPAMDs. Specifically, SB 1918:

- Defines EPAMDs as a self-balancing, nontandem, two-wheeled device that can turn in place, designed to transport only one person at a maximum speed of less than 12.5 miles per hour.
- Includes a person using an EPAMD within the definition of a "pedestrian" according to the State Vehicle Code.
- Requires EPAMDs to be equipped with basic safety devices and allows cities and counties, by ordinance, to regulate the time, place and manner of EPAMD operation.

Two provisions of SB 1918 are particularly troubling. First, if SB 1918 is signed into law, the City will need to develop and adopt regulations governing the time, place and manner of EPAMD operation. Once the regulations are in place, the onus will be on the City to monitor and enforce compliance with the regulations. This will require a yet-to-be-determined level of staff resources. The issue of staff resources required will be addressed in more detail when proposed options for EPAMD operating regulations are presented to the City Council for its consideration.

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Equally troubling is the provision of SB 1918 that equates EPAMD operators with pedestrians. There are potentially significant pedestrian safety issues inherent with motorized devices that can travel faster than the average foot pedestrian using the same pathway or sidewalk. Despite all caution and care taken by both walking pedestrians and EPAMD operators, there will undoubtedly be instances where EPAMDs and pedestrians collide. Motorized vehicles should not be considered pedestrians.

The California League of Cities (League) is neutral on SB 1918.

BILL STATUS

SB 1918 was passed by the California State Assembly on August 26, 2002 and the California State Senate on August 30, 2002. The bill is currently waiting for the Governor's signature or veto.

CONCLUSION

The provisions of SB 1918 not only place an additional burden on the City of Mountain View to develop and enforce new regulations regarding EPAMD operation, it also inappropriately changes the definition of "pedestrians" to include an electric-powered vehicle capable of traveling at speeds of up to 12 miles per hour.

PUBLIC NOTICING

In addition to distributing copies of this report in accordance with the City's standard agenda posting requirements, copies of the report were sent to members of the City's Bicycle/Pedestrian Advisory Committee, Public Works Department staff to the Committee and the League of California Cities regional representative.

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RMK/LF/9/CAM
601-09-10-02M-2^

Attachment: 1. Senate Bill 1918 (Torlakson) – Vehicles: Electric Personal Assistive Mobility Devices